

Declaratory Res. No. 607-1928
For the vacation of a
thoroughfare one hundred (100)
feet in width as hereinafter
more particularly described.

adopted: December 4, 1928

confirmed: February 19, 1929

Prim. assess. Roll ord. Feb. 19, 1929

" " appd. Feb 28, 1929

Confirmed March 26, 1929



DECLARATORY RESOLUTION NO. 607 - 1928.

For the vacation of a thoroughfare one hundred (100) feet in width as hereinafter more particularly described.

RESOLVED by the Board of Public Works of the City of Fort Wayne, that it is desired and deemed necessary to vacate a thoroughfare one hundred (100) feet in width, more particularly described as follows, to-wit:

Beginning at a point fifty-eight and sixty-six hundredths (58.66) feet east of the intersection of the east line of Electric Avenue extended north to intersect the south line of Lot Number 33 of Swinney's Out Lots, west of the angle extended east, said point of beginning marked by a Bronze Casting set in a concrete foundation; thence northerly a distance of four hundred sixty-one and fifty-eight hundredths (461.58) feet to a point, making an angle of ninety-one (91) degrees and seven minutes with said south line of Lot Number 33 of Swinney's Out Lots extended; thence northwesterly a distance of three hundred and four and seventy-five hundredths (304.75) feet to a point making an angle of one hundred and seventy (170) degrees and fifty-eight (58) minutes with the aforementioned line; thence northwesterly a distance of four hundred forty-three and fifty-eight hundredths (443.58) feet to a point making an angle of one hundred and sixty nine (169) degrees and two minutes with the aforementioned line three hundred and four and seventy-five hundredths (304.75) feet in length; thence northwesterly in the arc of a seventy-five (75) foot radius circle to a point; said point being on the south right of way line of the Pittsburg, Fort Wayne and Chicago Railway; thence easterly along said south right of way line a distance of one hundred and twenty-five (125) feet and an angle of seventy (70) degrees and thirty-two (32) minutes with said line, four hundred forty-three and fifty-eight hundredths (443.58) feet in length said angle being measured on the east side of the line to a point, said point being marked by a vertical railroad rail imbedded in a concrete foundation, thence southerly along the west bank of the St. Mary's River to the south line of Lot Number 33 of Swinney's Out Lots thence northwesterly along said south line of Lot Number 33 of Swinney's Out Lots a distance of approximately one hundred and forty (140) feet to a point; thence northeasterly in an arc of a circle having a radius of twenty-five (25) feet to the point of beginning. The same being the east portion of Swinney's Outlots Number Thirty-three (33) and a tract of land lying north of said Swinney's outlot located in section ten (10) Township thirty (30) north Range Twelve (12) East, in Allen County, State of Indiana.

All of which is shown on a plan of such proposed vacation as above described now on file in the office of the Department of Public Works of the said City.

The property which may be injuriously or beneficially affected by the proposed vacation as above described is described as all lots and parcels of land lying west of St. Mary's River north of Taylor Street, east and south of the Lake Erie and Western Railway and south of the Pittsburg, Fort Wayne and Chicago Railway.

The cost of said vacation and all expenses connected therewith shall be assessed against the property beneficially affected thereby.

All according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, entitled "An Act concerning Municipal Corporations" approved March 6, 1905, and the provisions of all acts amendatory thereto and supplemental thereof including the right to bond assessments as in said law ordered, and in accordance with the terms and subject to the limitations of the contract entered into on the 28th day of July, 1926, by and between the city of Fort Wayne, through its Board of Public Works and the General Electric Company.

Assessments, if deferred, are to be paid in ten equal annual installments with interest at the rate of five per cent per annum, under no circumstances shall the city of Fort Wayne, Indiana, be or be held responsible for any sum or sums due from said property owner or owners for said condemnation of property or for the payment of any bond, bonds, certificate or certificates issued in payment for such property damages, except for such moneys as shall have been actually received by the city from the assessments for such damages to property or such moneys as said city is by said above entitled act required to pay. All proceedings had in the making of said improvements, assessments of property, collections of assessments and issuance of bonds therefor shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

All of the above described streets and alleys and lots and lands affected by the above described vacation being situated in the north half of Section Ten, Township thirty north, Range twelve east and within the corporate limits of the City of Fort Wayne, Indiana.

~~Approved~~ the 4th day of December, 1928.

Adopted

Am Beck

Tom Snook

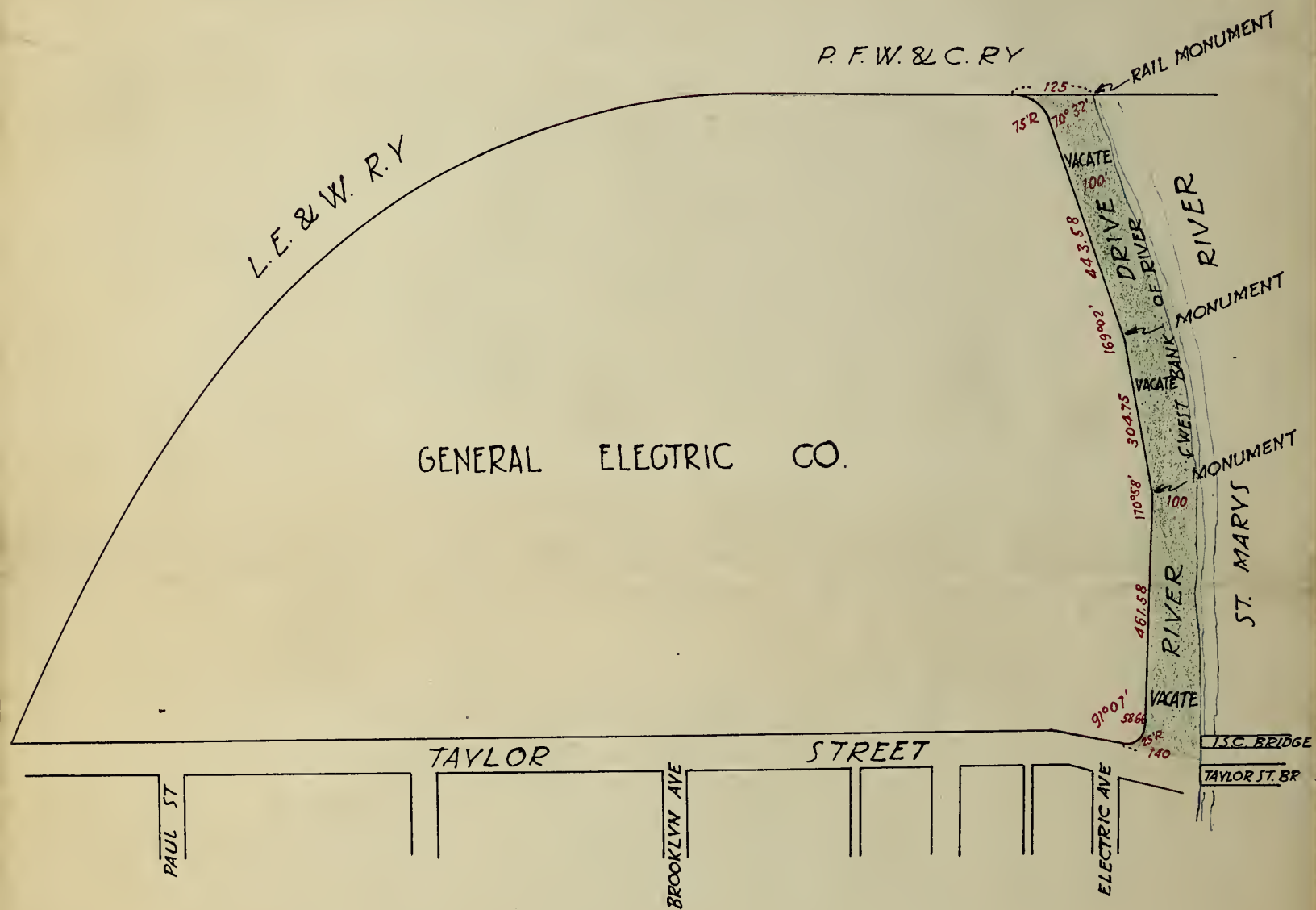
William G. Nouch

BOARD OF PUBLIC WORKS.

ATTEST:

Agatha E. Dick
SECRETARY.

PLAN OF THE VACATION OF THE RIVER DRIVE ALONG THE WEST BANK OF THE ST. MARY'S RIVER FROM THE P.F.W. & C.R.Y. TO TAYLOR ST.
 RES. N° 607-1928.



DECLARATORY RESOLUTION NO. 607-1928.

For the vacation of a thoroughfare one hundred (100) feet in width as hereinafter more particularly described.

RESOLVED by the Board of Public Works of the City of Fort Wayne, that it is desired and deemed necessary to vacate a thoroughfare one hundred (100) feet in width, more particularly described as follows, to-wit:

Beginning at a point fifty-eight and sixty-six hundredths (58.66) feet east of the intersection of the east line of Electric Avenue extended north to intersect the ~~north line of Taylor Street~~ west of the angle extended east, said point of beginning marked by a Bronze Casting set in a concrete foundation; thence northerly a distance of four hundred sixty-one and fifty-eight hundredths (461.58) feet to a point, making an angle of ninety-one (91) degrees and seven minutes with said ~~north line of Taylor Street~~ extended; thence northwesterly a distance of three hundred and four and seventy-five hundredths (304.75) feet to a point making an angle of one hundred and seventy (170) degrees and fifty-eight (58) minutes with the aforementioned line; thence northwesterly a distance of four hundred forty-three and fifty-eight hundredths (443.58) feet to a point making an angle of one hundred and sixty nine (169) degrees and two minutes with the aforementioned line three hundred and four and seventy-five hundredths (304.75) feet in length; thence northwesterly in the arc of a seventy-five (75) foot radius circle to a point; said point being on the south right-of-way line of the Pittsburg, Fort Wayne and Chicago Railway; thence easterly along said south right-of-way line a distance of one hundred and twenty-five (125) feet and an angle of seventy (70) degrees and thirty-two (32) minutes with said line, four hundred forty-three and fifty-eight hundredths (443.58) feet in length said angle being measured on the east side of the line to a point, said point being marked by a vertical railroad rail imbedded in a concrete foundation, thence southerly along the west bank of the St. Mary's River to the ~~north line of Taylor Street~~; thence northwesterly along said ~~north line of Taylor Street~~ a distance of approximately one hundred and forty (140) feet to a point; thence northeasterly in an arc of a circle having a radius of twenty-five (25) feet to the point of beginning. The same being the east portion of Swinney's Outlots Number Thirty-three (33) and a tract of land lying north of said Swinney's outlot located in section ten (10) Township thirty (30) North Range Twelve (12) East., in Allen County, State of Indiana.

South line of Lot
No. 33 of Swinney's Out
Lots

South line of Lot
No. 33 of Swinney's Out Lots

South line of Lot No.
33 of Swinney's Out Lots

All of which is shown on a plan of such proposed vacation as above described now on file in the office of the Department of Public Works of the said city.

The property which may be injuriously or beneficially effected by the proposed vacation as above described is described as all, lots and parcels of land lying west of the St. Mary's River north of Taylor Street, east and south of the Lake Erie and Western Railway and south of the Pittsburg, Fort Wayne and Chicago Railway.

The cost of said vacation and all expenses connected therewith shall be assessed against the property beneficially effected thereby.

All according to the method and manner provided for in an Act of the General Assembly of the State of Indiana, entitled "An Act concerning Municipal Corporations" approved March 6, 1905, and the provisions of all acts amendatory thereto and supplemental thereof including the right to bond assessments as in said law ordered, and in accordance with the terms and subject to the limitations of the contract entered ^{on} into/the 28th day of July, 1926, by and between the city of Fort Wayne, through its Board of Public Works and the General Electric Company.

Assessments, if deferred, are to ^{be} paid in ten equal annual installments with interest at the rate of five percent per annum, under no circumstances shall the city of Fort Wayne, Indiana, be or be held responsible for any sum or sums due from said property owner or owners for said condemnation of property or for the payment of any bond, bonds, certificate or certificates issued in payment for such property damages, except for such moneys as shall have been actually received by the city from the assessments for such damages to

property or such moneys as said city is by said above entitled act required to pay. All proceedings had in the making of said improvements, assessments of property, collections of assessments and issuance of bonds therefor shall be as provided for in said above entitled act and all amendments thereto and supplements thereof.

All of the above described streets and alleys and lots and lands affected by the above described vacation being situated in the north half of Section Ten, Township thirty north, Range twelve east and within the corporate limits of the city of Fort Wayne, Indiana.

Approved the ____ day of December, 1928.

Am Beck

Tom Hook

William G. Rucker
Board of Public Works

Attest : *Agatha E. Dick*
Secretary.

July 28th

THIS AGREEMENT, Made and entered into this 28th day of July, 1926, by and between the City of Fort Wayne by and through its Board of Public Works, and the General Electric Company, WITNESSETH that

WHEREAS the said Company is the owner of a tract of land in the City of Fort Wayne, Allen County, Indiana, extending along the west bank of the St. Mary's River from Taylor Street to the right of way of the Pittsburg, Fort Wayne and Chicago Railroad Company, and

WHEREAS there are laid out in said tract of land three streets, to-wit: Meadow Street, Brooklyn Avenue and Paul Street and said Company is desirous that said streets shall be vacated, and

WHEREAS the Company is willing to dedicate to the said City a strip of land one hundred (100) feet wide extending along said St. Mary's River to be used and enjoyed by the citizens of said City as a public boulevard.

NOW; THEREFORE, in consideration of the ^{immediate} vacation by the said City of said Meadow Street, Brooklyn Avenue and Paul Streets as laid out in said tract of land owned by the said Company, the Company agrees that it has set aside and that when and at such time as said City, by and through its duly constituted Board, shall develop a comprehensive plan X for a boulevard system along the banks of said St. Mary's River and is ready to put the same into effect and begin actual construction thereof, X said Company will convey to said City without cost a strip of land along the west bank of said St. Mary's River described as follows, to-wit:

Beginning at a point fifty-eight and sixty-six one hundredths (58.66) feet east of the intersection of the east line of Electric Avenue extended north to intersect the north line of Taylor Street west of the angle extended east, said point of beginning being marked by a Bronze Casting set in a concrete foundation; thence northerly a distance of four hundred sixty one and fifty-eight one hundredths (461.58) feet to a point, making an angle of 91° and 7' with said north line of Taylor Street extended; thence northwesterly a distance of three hundred four and seventy-five one hundredths (304.75) feet to a point making an angle of 170° and 58' with the afore mentioned line; thence northwesterly a distance of four hundred forty-three and fifty-eight one hundredths (443.58) feet to a point making an angle of 169° and 2' with the afore mentioned line 304.75 feet in length; thence northwesterly in the arc of a 75 foot radius circle to a point, said point being on the south line of the right of way of the Pittsburg, Fort Wayne and Chicago Railway; thence easterly along said south right of way line a distance of one hundred twenty-five (125) feet at an angle of 70° and 32' with said line 443.58 feet in length, said angle being measured on the east side of said line to a point, said point being marked by a railroad rail vertically

imbedded in a concrete foundation; thence southerly along the west bank of the St. Mary's River to the north line of Taylor Street; thence northwesterly along said north line of Taylor Street a distance of approximately one hundred and forty (140) feet to a point; thence northeasterly in the arc of a circle having a radius of twenty-five (25) feet to the point of beginning. Said strip of land being the east portion of Swinney's Out Lot No. Thirty-three (33) and a tract of land north of said Swinney's Out Lot located in Section Ten (10) Township Thirty (30) North of Range Twelve (12) east, in Allen County, State of Indiana;

said strip of land to be immediately developed into a public boulevard and so maintained for all time thereafter.

The Company retains the right to construct and maintain across said strip of property such overhead or underground wires, cables, poles, pipes, conduits, sewers, tunnels, and bridge as it may deem necessary in the conduct of its business, provided that the maintenance of said wires, cables, poles, pipes, conduits, sewers, tunnels and bridge shall not interfere with the use of said boulevard as such.

IN WITNESS WHEREOF said City of Fort Wayne has hereunto caused its name to be signed hereto by and through its Board of Public Works and said General Electric Company has caused its name to be signed and its seal attached by its duly authorized officers, the day and year first above written.

CITY OF FORT WAYNE

By

J. J. Johnson

Tom Snook

William G. Brown

Its Board of Public Works

GENERAL ELECTRIC COMPANY

By

Francis J. Brown

Vice-President

J. M. Smith

Asst. Secretary.

Contract

with

General Electric Co.

for

Boulevard along
west bank of
St. Marys River
from Taylor St. to
Penna. Co. railroad.

WARRANTY DEED.

Dec. 607.

THIS INDENTURE WITNESSETH, That GENERAL ELECTRIC COMPANY
A Corporation, of Schenectady County, State of New York -----
CONVEY and WARRANT to CITY OF FORT WAYNE, of Allen County,
State of Indiana, for and in consideration of -----
..... ONE (\$1.00) DOLLAR
the receipt whereof is hereby acknowledged, the parcel of real
estate approximately one hundred feet in width in Allen County,
State of Indiana, described as follows, to-wit:

Beginning at a point fifty-eight and sixty-six
hundredths (58.66) feet east of the intersection
of the east line of Electric Avenue extended north
to intersect the north line of Taylor Street, west
of the angle extended east, said point of beginning
being marked by a Bronze Casting set in a concrete
foundation; thence northerly a distance of four hundred
sixty-one and fifty-eight hundredths (461.58) feet to a
point, making an angle of ninety-one/degrees and
(91)
seven (7) minutes with said north line of Taylor Street
extended; thence northwesterly a distance of three
hundred four and seventy-five hundredths (304.75) feet
to a point making an angle of one hundred and seventy
(170) degrees and fifty-eight (58) minutes with the
aforementioned line; thence northwesterly a distance
of four hundred forty-three and fifty-eight hundredths
(443.58) feet to a point making an angle of one hundred
sixty-nine (169) degrees and two (2) minutes with the
aforementioned line three hundred four and seventy-five
hundredths (304.75) feet in length; thence north

westerly in the arc of a seventy-five (75) foot radius circle to a point; said point being on the south right of way line of the Pittsburgh, Fort Wayne and Chicago Railway; thence easterly along said south right of way line a distance of one hundred twenty-five (125) feet and an angle of seventy (70) degrees and thirty-two (32) minutes with said line, four hundred forty-three and fifty-eight hundredths (443.58) feet in length said angle being measured on the east side of the line to a point, said point being marked by a vertical railroad rail imbedded in a concrete foundation; thence southerly along the west bank of the St. Mary's River to the north line of Taylor Street; thence northwesterly along said north line of Taylor Street a distance of approximately one hundred forty (140) feet to a point; thence northeasterly in an arc of a circle having a radius of twenty-five (25) feet to the point of beginning. The same being the east portion of Swinney's Out Lot Number Thirty-three (33) and a tract of land lying north of said Swinney's Out lot 33 located in Section ten (10) Township thirty (30) North, Range Twelve (12) east, in Allen County, State of Indiana

the same to be held and used by said City as a public boulevard and maintained as such for all time hereafter.

The grantor expressly reserves and retains for its own benefit and that of its successors and assigns the perpetual right and easement to construct, operate and maintain under

and/or across said strip of real estate hereby conveyed, and at such point or points thereof as it may from time to time select, all such overhead or underground wires, cables, poles, pipes, conduits, sewers, tunnels and bridge as it may deem necessary in the conduct of its business, provided that the maintenance of said wires, cables, poles, pipes, conduits, sewers, tunnels and bridge shall not interfere with the use of said strip as a public boulevard.

IN WITNESS WHEREOF, the said GENERAL ELECTRIC COMPANY, A Corporation, by its duly authorized officers has hereunto set its Hand and Seal this ____ day of _____ 1929.

GENERAL ELECTRIC COMPANY

ATTEST:

By-

President

(SEAL)

Secretary.

STATE OF NEW YORK :
: SS:
COUNTY OF SCHENECTADY :

Before me, the undersigned, a Notary Public, in and for said county and state this ____ day of _____, 1929, personally appeared the within named GENERAL ELECTRIC COMPANY, a Corporation, by its duly authorized officers _____

President and _____
Secretary, Grantor in the above conveyance and acknowledged the same to be its voluntary act and deed for the uses and purposes herein mentioned.

IN WITNESS WHEREOF I have hereunto subscribed my name and affixed my Official Seal.

Notary Public

My commission expires: _____

Copy

Warranty Deed
to
General Electric Co
City of Fort Wayne

Declaratory Dec. No. 607-1928
for the ratification of a
Thoroughfare one hundred (100)
thous. sq. ft. as shown on plat?
more particularly described.

Adopted: December 4, 1928

Confirmed: February 19, 1929

Revised Dec. Ord. Feb. 19, 1929

" " app'd. Feb. 28, 1929

Revised March 26, 1929